



Order Filed on February 14,
2019 by Clerk, U.S. Bankruptcy
Court - District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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PHELAN HALLINAN DIAMOND & JONES, PC
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856-813-5500
Attorneys for U.S. BANK TRUST, N.A., AS TRUSTEE
FOR LSF9 MASTER PARTICIPATION TRUST, BY
CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN
FACT

In Re:

ENRICO BENCIVENGA A/K/A HARRY BENCIVENGA
A/K/A ENRICO G. BENCIVENGA, JR

Debtor

Case No.: 17-14487 - SLM

Hearing Date: 02/13/2019

Judge: STACEY L. MEISEL

Chapter: 13

Recommended Local Form: ☐ Followed ☒ Modified

ORDER VACATING STAY

____ The relief set forth on the following page is hereby **ORDERED**.

DATED: February 14, 2019

Honorable Stacey L. Meisel
United States Bankruptcy Judge

Upon the motion of U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST, BY CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN FACT, under Bankruptcy Code section 362(a) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real Property more fully described as:

1 SMITH AND RAILROAD AVENUE, ANDOVER, NJ 07821

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the property at sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.

☐ Personal property more fully described as:

It is further **ORDERED** that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
Enrico Bencivenga
Debtor

Case No. 17-14487-SLM
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Feb 14, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 16, 2019.

db +Enrico Bencivenga, 124 Overlook Road, Newton, NJ 07860-9772

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 16, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 14, 2019 at the address(es) listed below:

Andrew L. Spivack on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST nj.bkecf@fedphe.com
Andrew M. Lubin on behalf of Creditor Select Portfolio Servicing, Inc. bkecf@milsteadlaw.com, alubin@milsteadlaw.com
Charles G. Wohlrab on behalf of Creditor CONV: U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE OF OWS REMIC TRUST 2015-1 cwohrlab@logs.com, njbankruptcynotifications@logs.com
Charles G. Wohlrab on behalf of Creditor Nationstar Mortgage LLC cwohrlab@logs.com, njbankruptcynotifications@logs.com
Denise E. Carlon on behalf of Creditor US Bank National Association, not in its individual capacity but solely as Trustee on behalf of OWS REMIC Trust 2015-1 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Laura M. Egerman on behalf of Creditor Nationstar Mortgage LLC bkyecf@rasflaw.com, bkyecf@rasflaw.com; legerman@rasnj.com
Marie-Ann Greenberg magecf@magtrustee.com
Nicholas V. Rogers on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST nj.bkecf@fedphe.com
Sherri Jennifer Smith on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST, BY CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN FACT nj.bkecf@fedphe.com, nj.bkecf@fedphe.com
Sindi Mncina on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST smncina@rascrane.com
Stephen B. McNally on behalf of Debtor Enrico Bencivenga steve@mcnallylawllc.com, jennifer@mcnallylawllc.com; b.sr70072@notify.bestcase.com
Steven P. Kelly on behalf of Creditor U.S. Bank Trust, N.A. skelly@sterneisenberg.com, bkecf@sterneisenberg.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 13